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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,388	12/10/2003	C. Glen Berry		4650

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Theresa M. Seal
C/O The Inventor's Network, Inc.
332 Academy Street
Carnegie, PA 15106

EXAMINER

ENGLE, PATRICIA LYNN

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/731,388

Applicant(s)

BERRY, C. GLEN

Examiner

Patricia L Engle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/10/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION***Drawings***

1. The drawings are objected to because the drawings are informal (the reference characters are hand drawn). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirayama et al. (US Patent 6,179,358) in view of Alimanestiano (US Patent 3,118,187).

Regarding claim 6, Hirayama et al. disclose a mobile sleeping unit (B2,B4,B5) comprising a vehicle chassis (Fig. 5) having a coupling means at one end adapted to be connected to a towing vehicle (Fig. 2), supporting wheels on the underside of the chassis (Fig. 5) and a body mounted on the upper side of the chassis (Fig. 5), the body having a front and back side, a top and bottom side, and a left and right side forming an enclosed living chamber, the chamber having a floor, a ceiling, a front and back wall and two side walls, a kitchen compartment comprising a table (canteen, column 6, line 39), a refrigerator and storage cabinets (kitchen and food storage cabinet, column 6, lines 38-39).

Hirayama et al. do not disclose that the beds (column 6, line 38) are pivotally mounted on the side walls, or that there is lighting means, or that there is an electricity generating means, or a ventilation means. The Examiner takes Official Notice that it would have been obvious to one of ordinary skill in the art to attach an electricity generating means and a ventilation means to the lodging trailer. The motivation would have been to allow the lodging means to be separated from the remaining trailers and too be used in locations where all of the trailers were not capable of being set up. The Examiner also takes Official Notice that lighting means would have been inherent to the lodging trailer.

Alimanestiano discloses a trailer for mobile sleeping accommodations which includes beds pivotally connected to the walls. It would have been obvious to one of ordinary skill in the art at the time of the invention to pivotally mount the beds to the side walls. The motivation

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would have been to allow the occupants to use their bed space for other means, such as relaxing in a chair.

Therefore it would have been obvious to combine Alimanestiano with Hirayama et al. to obtain the invention of claim 6.

Regarding claim 7, Hirayama et al. as modified disclose that the vehicle chassis and the body are one unit. The Examiner takes Official Notice that it would have been obvious to make the unit a 28-foot tractor trailer. The motivation would have been to make moving it easy as it would be a standard size.

Regarding claim 8, the Examiner takes Official Notice that fossil fuel powered generator located at the front side of the bodies are well known electricity generating means for tractor trailers.

Regarding claim 9, the Examiner takes Official Notice that air-conditioning units and heaters are well known ventilation devices for mobile accommodation units (i.e., campers). It would have been obvious to one of ordinary skill in the art at the time of the invention to include both air-conditioning and heating means on the mobile lodging unit of Hirayama et al. as modified. The motivation would have been to keep the doctors and nurses comfortable while they are resting.

Regarding claim 10, the Examiner takes Official Notice that fluorescent lighting is a well known lighting source. It would have been obvious to one of ordinary skill in the art at the time of the invention to use fluorescent lighting in the lodging trailer. The motivation would have been to use a lighting means that requires a low amount of electricity and lasts a long time.

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Conclusion

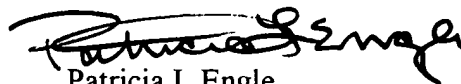
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art discloses other mobile centers.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L Engle whose telephone number is (703) 306-5777.

The examiner can normally be reached on Monday - Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Patricia L Engle
Primary Examiner
Art Unit 3612

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February 4, 2005